

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED

IN CLERK'S OFFICE

FIRST, LLC, a Delaware Limited Liability Company, : Civil Action No.
2005 APR 11 P 2:40 05-10544-JLT

Plaintiff,

v.

TIMOTHY MCARTHUR,

Defendant.

U.S. DISTRICT COURT
DISTRICT OF MASS

X

STIPULATED MOTION TO EXTEND TIME TO
ANSWER OR OTHERWISE RESPOND

FIRST, LLC ("FIRST") and Timothy McArthur ("McArthur") respectfully request that pursuant to F.R.C.P. 6(b) that the Court grant McArthur until April 22, 2005 to respond to FIRST's Complaint.

In support of this stipulated motion, the parties state:

1. On March 23, 2005, FIRST served McArthur with its Complaint.
2. Pursuant to F.R.C.P. 12(a), McArthur has until April 12, 2005 to answer or otherwise respond.
3. Under Rule 6(b)(1) this Court may for cause shown "order the period enlarged if request therefore is made before the expiration of the period originally prescribed . . .".
4. The parties previously stipulated to a TRO that this Court ordered on April 6, 2005. The parties have been also been discussing settlement and hope to resolve this matter shortly. As a result, the parties believe it is appropriate to give McArthur

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[PROPOSED] ORDER ON STIPULATED MOTION TO EXTEND TIME TO ANSWER
OR OTHERWISE RESPOND

THIS MATTER is before the Court on the parties Stipulated Motion to Extend Time to Answer or Otherwise Respond. The Court, having reviewed the pertinent portions of his file, and the parties stipulated motion, and being otherwise fully advised,

ORDERS that Timothy McArthur has until April 22, 2005 to answer or otherwise respond to FIRST's Complaint.

Dated: April ___, 2005

SO ORDERED,

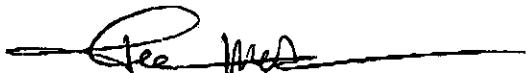
, J.

additional time to respond to FIRST's complaint in hopes that the parties can resolve this matter prior to April 22, 2005.

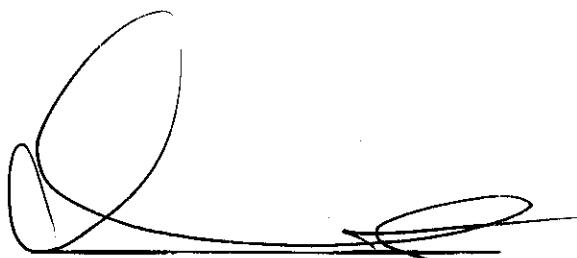
5. FIRST and McArthur, therefore, respectfully request the Court extend the time by which McArthur must respond to FIRST's Complaint until April 22, 2005.

Dated this ___th day of April, 2005.

Respectfully submitted,



Timothy McArthur, Pro Se



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